JOHN M. SORICH (CA Bar No. 125223)
jsorich@adorno.com
S. CHRISTOPHER YOO (CA Bar No. 169442)
cyoo@adorno.com
ADORNO YOSS ALVARADO & SMITH
A Professional Corporation
1 MacArthur Place, Suite 200
Santa Ana, California 92707
Tel: (714) 852-6800
Fax: (714) 852-6899

Attorneys for Defendant
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS
TRUSTEE FOR MORGAN STANLEY LOAN TRUST 2006-HE4

ADORNO YOSS ALVARADO & SMITH
ATTORNEYS AT LAW
SANTA ANA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

CODY NICHOLS, an individual,

Plaintiffs,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee For Morgan Stanley Loan Trust 2006-HE4, an entity of unknown form; DECISION ONE MORTGAGE COMPANY, LLC, a North Carolina Limited Liability Company; and DOES 10-10, inclusive

Defendants.

CASE NO.: 07CV2039-L (NLS)

JOINT MOTION TO CONTINUE HEARING ON ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION

CURRENT HEARING

DATE: December 10, 2007
TIME: 2:00 p.m.
CTRM: "14"

PROPOSED HEARING

DATE: January 14, 2008
TIME: 11:00 a.m.
CTRM: "14"

ACTION FILED: October 19, 2007

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Plaintiff Cody Nichols ("Nichols" or "Plaintiff"), defendants Deutsche Bank National Trust Company, as Trustee For Morgan Stanley Loan Trust 2006-HE4 ("Deutsche Bank"), and Decision One Mortgage Company, LLC ("Decision One"), by and through their respective attorneys of record submit the following joint motion to postpone the hearing on the Order to Show Cause re: Preliminary Injunction in connection with the property located at 2010 Rancho Manzanita Boulevard, California 91905 ("Subject Property"):

1. The law firm of Adorno, Yoss, Alvarado & Smith ("Adorno Firm"), a professional corporation, was retained to represent Deutsche Bank on November 28, 2007 at approximately 1:00 p.m. Immediately after being retained to represent Deutsche Bank, counsel for Deutsche Bank checked the Pacer Docket and confirmed that the hearing on the Order to Show Cause ("OSC") re: Preliminary Injunction was set for December 10, 2007, and defendants' opposition to the OSC re: Preliminary Injunction was due November 28, 2007, the same day the Adorno Firm was retained to represent Deutsche Bank.

2. On November 28, 2007, counsel for Deutsche Bank left telephone messages for counsel for Decision One and counsel for Plaintiff to inform them of the Adorno Firm's retention. On November 29, 2007, counsel for Deutsche Bank had telephone conversations with both counsel for Decision One and counsel for Plaintiff. They both agreed to a postponement of the hearing on the Order to Show Cause re: Preliminary Injunction as long as the temporary restraining order would remain in place.

3. After trading telephone calls and leaving messages, on December 3, 2007, counsel for Deutsche Bank and counsel for Plaintiff had a follow up telephone conversation regarding postponement of the hearing on the Order to Show Cause re: Preliminary Injunction. Plaintiff's counsel requested that the hearing be postponed to a date after the Holidays.

4. At this time, counsel for Deutsche Bank is not in a position to file a meaningful opposition to the OSC re: Preliminary Injunction, because the relevant documents are in the process of being gathered and forwarded by the client to counsel for Deutsche Bank. Further, because the

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SANTA ANA

temporary restraining order will be in place until the date and time of the continued order to show cause hearing, Plaintiff will sustain no damage or prejudice.

2. Thus, the parties hereby jointly request that the hearing on the Order to Show Cause re: Preliminary Injunction, currently scheduled for December 10, 2007, at 11:00 a.m. in Courtroom 14 of the above-entitled Court, be continued to January 14, 2008 at 11:00 a.m., in Courtroom 14 of the above entitled Court.

3. The parties hereby jointly request that defendants' opposition shall be filed and served by facsimile or personal service by no later than 4:30 p.m. on December 31, 2007, and that Plaintiff's reply shall filed and served by facsimile by no later than 4:30 p.m. on January 7,2008.

4. The temporary restraining order, which was granted without bond on November 21, 2007 shall remain in full force and effect until the date and time of the continued order to show cause hearing.

DATED: December 5, 2007

ADORNO YOSS ALVARADO & SMITH
A Professional Corporation

By: /s/ S. Christopher Yoo
S. CHRISTOPHER YOO
Attorneys for Defendant
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY LOAN TRUST 2006-HE4

DATED: December 5, 2007

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Gregory Korman
GREGORY KORMAN
Attorneys for Defendant
DECISION ONE MORTGAGE COMPANY, LLC

DATED: December 5, 2007

LAW OFFICES OF DEBORAH L. RAYMOND

By: /s/ Deborah L. Raymond
DEBORAH L. RAYMOND
Attorneys for Plaintiff
CODY NICHOLS